UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America	)	
v.	)	
	)	Case No: DNCW105CR000201-002
SPENCER YOUNG	)	USM No: 14640-058
	)	
Date of Original Judgment: March 30, 2006	)	
Date of Last Amended Judgment: March 24, 2009	)	Ross Hall Richardson
	)	Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of   ■ the defendant   ❐ the Director of the Bureau of Prisons   ❐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

❐ DENIED.   ■ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of   109 months (Am. 706)   **is reduced to** 86 months

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Original Offense Level:	34	Amended Offense Level:	26
Criminal History Category:	III	Criminal History Category:	III
Original Guideline Range:	188-235 months	Amended Guideline Range:	120 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

❐ The reduced sentence is within the amended guideline range.

■ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing and the reduced sentence is comparably less than the amended guideline range.

❐ The reduced sentence is above the amended guideline range.

Other (explain):   Original sentence was 135 months, which was 72% of the low end of the original guideline range before Amendment 706. The sentence imposed herein is 72% of the new revised guideline range per Amendment 750.
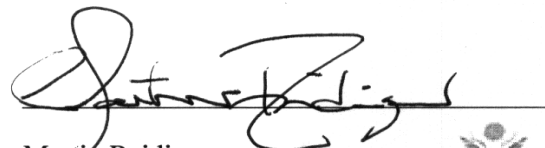
III. ADDITIONAL COMMENTS

Upon release from imprisonment, and absent a residential plan accepted by the U.S. Probation Officer prior to release from incarceration, it is ordered that as a condition of supervised release the defendant shall submit to the local Residential Reentry Center for a period not to exceed 90 days, with work release, at the direction of the U.S. Probation Officer.

Except as provided above, all provisions of the judgment dated   March 30, 2006   shall remain in effect.

IT IS SO ORDERED.

Order Date: December 15, 2011

Effective Date: _____
          (if different from order date)

Martin Reidinger
United States District Judge